



GREENWOOD COMMON COUNCIL NOVEMBER 3, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which David Owens of the Johnson County Memorial Hospital led in prayer.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.
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Mr. Bates moved to accept the minutes of the regular session of October 18th, with second by Ms. Reed. Vote: Ayes.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Armstrong reported that the Overlay Committee had been holding a series of meetings regarding the Wal-Mart at Emerson Avenue and County Line Road. There is a training session scheduled for November 22nd for the Plan Commission at 7:00 p.m. in the basement.

Phil Tinkle, President of the Plan Commission, gave a status report and background for the Committee on Architectural and Design Standards, which was organized in 2002 (Packet in attachments of this meeting). He hopes that by the end of March 2005 that the committee will have language for revising the zoning ordinance to bring to the Council for their approval. Mr. Deer mentioned that, along with him, other members of the committee are Mr. Tinkle, Carmen Madsen, Trent Pohlar, and Mr. Armstrong. He added that a housing summit will probably be held in mid- to late-January, hopefully with Council members and Planning Commission members, along with some of the development community participating. Planning Director Ed Ferguson discussed the response of developers to communication at the staff level on what type of zoning is likely to be approved and added that some developers that recently had petitions denied are making changes to their petitions. There have been almost 100 projects over the last several years that had some sort of zoning commitment attached, with the list growing over the last couple of years.

Mr. Deer reported that the tax abatement committee will meet November 9th at 6:00 p.m. in the first floor conference room, immediately following the Redevelopment Commission meeting.

ORDINANCE No. 04-46 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 22.43 Acres Located on the East Side of Honey Creek Road Immediately South of Alden Place Subdivision (commonly known as the Bright Farm Property).
CONTINUED UNTIL NOVEMBER 15, 2004 MEETING FOR FIRST READING AND PUBLIC HEARING.

ORDINANCE No. 04-49 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, approximately 82.27 acres located on the east side of Honey Creek Road, ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property). **POSTPONED UNTIL DECEMBER 20, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-50 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For

the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith" (Proposed Rezoning of approximately 82.27 acres located on the east side of Honey Creek Road; ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property)). **POSTPONED UNTIL DECEMBER 20, 2004 FOR FIRST READING.**

ORDINANCE No. 04-51 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 82.3 Acres Located Approximately ¼ Mile South of Worthsville Road and West of Graham Road (commonly known as the Republic Development, LLC Property). **POSTPONED UNTIL DECEMBER 20, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-52 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled "An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith" (Proposed Rezoning of approximately 82.3 acres located approximately ¼ mile south of Worthsville Road and west of Graham Road, commonly known as the Republic Development, LLC Property). This was postponed at the last meeting until December 20th for first reading and public hearing. Mayor Henderson recounted that the representative did not know the wishes of the petitioner about postponement, so the Council followed standard procedure. Ms. Koons-Davis had received a letter requesting that the rezoning not run concurrently with the annexation. Mr. Gibson moved to remove the postponement and place the petition on the agenda for November 15, 2004 for first reading and public hearing. Second by Mr. Bless. Vote: Ayes. **POSTPONED UNTIL NOVEMBER 15, 2004 FOR FIRST READING.**

RESOLUTION No. 04-26 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, approximately 82.27 acres located on the east side of Honey Creek Road; ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property), Referencing Annexation Ordinance No. 04-49. Mr. Hardin moved to pass Resolution No. 04-26 through first reading. Second was by Mr. Bates. Mr. Armstrong questioned the financial impact on schools and libraries. Mr. Deer stated that they are not part of the City's financial plan. Vote: Ayes. **PASSED FIRST READING.**

RESOLUTION No. 04-27 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, approximately 82.3 acres located approximately ¼ mile south of Worthsville Road and west of Graham Road (commonly known as the Republic Development, LLC Property), Referencing Annexation Ordinance No. 04-51. Mr. Hardin moved to pass Resolution No. 04-27 on first reading. Second by Mr. Gibson. Vote: Ayes. **RESOLUTION No. 04-27 PASSED FIRST READING.**

ORDINANCE No. 04-48 – An Ordinance Transferring Funds Within the Budget of the Parks and Recreation Department (\$15,000). Mr. Hardin moved to pass Ordinance No. 04-48 through second reading. Second by Ms. Reed. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 04-28 – A Resolution Establishing Holidays for Employees of the City of Greenwood for the Year 2005. Mayor Henderson recounted that in talking with staff and employees it was decided to go with the Friday / Monday days off for certain holidays rather than Thursday / Friday. Mr. Hardin indicated that a survey has been prepared by the Human Resources Director to ask employees their preference. This led to discussion of the revision of the Benefits Ordinance in 2003. Paid time off now includes vacation, sick leave and floating holidays commented Ed Ferguson. Mayor Henderson stated that the Human Resources Director told him about her conversation with Mr. Hardin but was not sure about the direction of the survey and did not have one prepared. Mayor Henderson cautioned that another group of employees might want a survey next year because they want to change something. He

said that there was a long process involved in putting together a handbook and changing the ordinance and that it has served us well. There was more discussion about the Christmas days off. **INTRODUCED.**

Under miscellaneous business, Mr. Gibson reported that he had received a couple of phone calls about the intersection of Main Street and Smith Valley Road. These constituents want the right lane to be kept open for turns. He added that markings would have to be far enough back to allow cars to be in the correct lane. Mr. Deer reported that in ten minutes he observed five cars continuing north and 43 turning right. He thought there was justification to change it back to a right-turn lane until a long-term solution is found. The Mayor said staff will look into that.

Mr. Hardin moved to direct the City Attorney to draft a resolution to inform the Department of Local Government Finance that the City of Greenwood is interested in receiving only enough in excess tax levies to cover the 2005 budget. Mr. Bates seconded. Mayor Henderson clarified that the excess levy goes into the operating balance and is used to fund the budget or a bond issue, for example, the aquatic center. If you tell the State that you are not going to take the excess levy, then you lose it, he added. Mr. Hardin asserted that taxes would go up, according to CPA Eric Reedy. Mayor Henderson, in conversation with Paige Gregory of H.J. Umbaugh, said that conservative numbers were used and we have never had a reduction. The Mayor said that he believes any increase would be minimal. Mr. Hardin said he would like to see those figures and would like the resolution be prepared in case we need it. Ms. Myers, in talking with Paige, reported that Ms. Gregory thinks the assessed valuation will be higher, which will lower the tax rate. Mr. Deer suggested that H.J. Umbaugh help us understand maximum levies – the reasoning behind using them. Mayor Henderson reminded the Council that the tax board thought we were acceptably low and voted unanimously for our request and asked why we didn't make the request last year. Mayor Henderson stated, too, that money from the State is decreasing each year. Mr. Deer described the maximum levy as a "line of credit" for all intents and purposes. Mr. Hardin reiterated that he thought the resolution should be prepared ready to fill in the numbers. Mr. Deer thought Ms. Gregory should come with the numbers but also give the Council an understanding of how maximum levies work with rates. Mr. Hardin withdrew his motion until after the information from H.J. Umbaugh. Mr. Bates withdrew his second.

Mr. Hardin said he would like to reconvene the ad hoc review committee to continue facilitating the remodeling of the gymnasium area of this building as recommended in a previous Council meeting and authorize that committee to contact architects to get designs, possibly using funds from the Rainy Day fund. Mr. Deer thought the committee should make formal recommendations to the Council before we do any ordinances.

Mr. Hardin asked for a status report on the former Gilmour property next door – whether there will be a demolition, are the utilities still on, whether it is winterized. The Mayor said that there has not been a report from the environmental study. The house is being secured by the maintenance foreman. The Mayor thinks the utilities are off and it has been winterized; he will check. There are no plans for a demolition at this time, he stated.

Mr. Bates asked for an update on the sanitation automatic payments. Mr. Ferguson said we are close to having that set up.

Mr. Armstrong reported his e-mail shows about the same number for a new pool as against. Mr. Bates said his is running 4 to 1 against the pool.

On the Valle Vista roads, Mayor Henderson told Mr. Armstrong that the latest estimate is that they will be done in two weeks if the weather cooperates. The Mayor said that the City makes sure the manhole covers are level with the street; he does not think it was in the contract.

Mr. Gibson asked the reason cars were cleaned before going to an auction. Chief Hessman remarked that it increases the value of the cars. Mr. Hardin said the figures from the last auction show we got retail price or higher.

Mr. Deer described the fifth anniversary of the recovery court as a very inspiring evening. He encouraged those in their first year of service to attend a session of the court.

Mr. Deer also praised the leaf and limb pick-up program. The City will pick up leaves that have been bagged, as well. He also asked for an updated list of the boards.

Ms. Myers reported from the IACT conference in Nashville that it is recommended that we have resolutions covering the use of charge cards, travel expense and per diem; also giving the ability to pay P.E.R.F. electronically.

Mr. Ferguson announced that he will be attending a conference on preparing fiscal plans for annexation petitions. He will report on the changes.

Mayor Henderson passed out tickets to the Taste of Greenwood, Sunday, November 7th, from 5:00 to 7:00 p.m. to the Council.

With no further business the meeting adjourned at 8:35.